
SENATE BILL 5091

State of Washington

59th Legislature

2005 Regular Session

By Senators Sheldon, Morton, Benson and Mulliken

Read first time 01/13/2005. Referred to Committee on Natural Resources, Ocean & Recreation.

1 AN ACT Relating to prohibiting the assessment of fees for basic
2 parkland access by the state parks and recreation commission; amending
3 RCW 79A.05.070; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 79A.05.070 and 2003 c 186 s 1 are each amended to read
6 as follows:

7 The commission may:

8 (1) Make rules and regulations for the proper administration of its
9 duties;

10 (2) Accept any grants of funds made with or without a matching
11 requirement by the United States, or any agency thereof, for purposes
12 in keeping with the purposes of this chapter; accept gifts, bequests,
13 devises and endowments for purposes in keeping with such purposes;
14 enter into cooperative agreements with and provide for private
15 nonprofit groups to use state park property and facilities to raise
16 money to contribute gifts, grants, and support to the commission for
17 the purposes of this chapter. The commission may assist the nonprofit
18 group in a cooperative effort by providing necessary agency personnel
19 and services, if available. However, none of the moneys raised may

1 inure to the benefit of the nonprofit group, except in furtherance of
2 its purposes to benefit the commission as provided in this chapter.
3 The agency and the private nonprofit group shall agree on the nature of
4 any project to be supported by such gift or grant prior to the use of
5 any agency property or facilities for raising money. Any such gifts
6 may be in the form of recreational facilities developed or built in
7 part or in whole for public use on agency property, provided that the
8 facility is consistent with the purposes of the agency;

9 (3) Require certification by the commission of all parks and
10 recreation workers employed in state aided or state controlled
11 programs;

12 (4) Act jointly, when advisable, with the United States, any other
13 state agencies, institutions, departments, boards, or commissions in
14 order to carry out the objectives and responsibilities of this chapter;

15 (5) Grant franchises and easements for any legitimate purpose on
16 parks or parkways, for such terms and subject to such conditions and
17 considerations as the commission shall specify;

18 (6) Charge such fees for services, utilities, and use of facilities
19 as the commission shall deem proper, except that the commission shall
20 not charge fees for basic parkland access;

21 (7) Enter into agreements whereby individuals or companies may rent
22 undeveloped parks or parkway land for grazing, agricultural, or mineral
23 development purposes upon such terms and conditions as the commission
24 shall deem proper, for a term not to exceed forty years;

25 (8) Determine the qualifications of and employ a director of parks
26 and recreation who shall receive a salary as fixed by the governor in
27 accordance with the provisions of RCW 43.03.040 and determine the
28 qualifications and salary of and employ such other persons as may be
29 needed to carry out the provisions hereof; and

30 (9) Without being limited to the powers hereinbefore enumerated,
31 the commission shall have such other powers as in the judgment of a
32 majority of its members are deemed necessary to effectuate the purposes
33 of this chapter: PROVIDED, That the commission shall not have power to
34 supervise directly any local park or recreation district, and no funds
35 shall be made available for such purpose.

36 NEW SECTION. **Sec. 2.** This act is necessary for the immediate

1 preservation of the public peace, health, or safety, or support of the
2 state government and its existing public institutions, and takes effect
3 immediately.

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